

**1. Requested Motion:**

**Meeting Date: March 3, 2014**

Approve request for the "4th Annual St. Patrick's Day Festival" Special Event Permit to be held on March 16 - 17, 2014 at Nervous Nellie's and authorize open containers of alcohol at this event in the designated area of the Town Right-of-Way pursuant to Ordinance #99-15.

**Why the action is necessary:**

Ordinance 99-15 requires that Town Council approve all requests for open containers during such an event.

**What the action accomplishes:**

Allows staff to issue the Special Event Permit and the applicant to move forward with the event.

**2. Agenda:**

- Consent
- Administrative

**3. Requirement/Purpose:**

- Resolution
- Ordinance
- Other Special Events Permit

**4. Submitter of Information:**

- Council
- Town Staff – Public Works
- Town Attorney

**5. Background:**

The 4th Annual St. Patricks Day Festival is a two day event scheduled for March 16-17, 2014, from 12 noon to 8:00 pm held in the parking area of Nervous Nellies and the Town's Bayside Park. Alcohol will be served and live music will be provided. Residents within a 500 feet radius have been notified of this event and the amplified sound, pursuant to Ordinance 12-4. Please see the attached Special Events Permit application, site plan and resident property list within 500 feet.

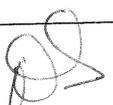
**6. Alternative Action:**

Council directs staff to deny the event.

**7. Management Recommendations:**

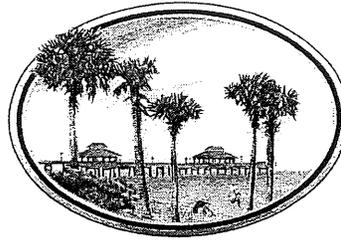
Staff supports this application of the "4<sup>th</sup> Annual St. Patricks Day Festival".

**8. Recommended Approval:**

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Parks & Recreation Director	Town Clerk
						

**9. Council Action:**

- Approved
- Denied
- Deferred
- Other



*Town of Fort Myers Beach*

**SPECIAL EVENT  
PERMIT**

**Name of Event:** 4<sup>th</sup> Annual St. Patricks Day Festival

**Location of Event:** Nervous Nellies 1131 First Street FMB, FL 33931

**Date of Event:** March 16-17, 2014

**Contact Name:** Steve DeAngelis

**Phone Number:** 239-822-1369

**Approvals received:**

Lee County Sheriff	X
FMB Fire District	X
Florida DEP	N/A
FMB Environmental Sciences	NA
Lee County	N/A
FMB Public Works	
Turtle Time	N/A

- This permit is subject to the applicant meeting all requirements contained in Fort Myers Beach Ordinance #12-04.
- Permit conditioned on receipt of ABT Extension of Premises Permit.

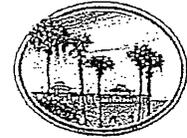
\_\_\_\_\_  
Town Manager

\_\_\_\_\_  
Date

2523 Estero Boulevard  
Fort Myers Beach, Florida 33931  
Tel: 239/765-0202 \* Fax: 239/765-0909  
www.FortMyersBeachFL.gov

SEP 14-0732

TOWN of FORT MYERS BEACH SPECIAL EVENT APPLICATION



Describe event including times, dates, activities and general overview of event.  
 ANNUAL ST. PATRICK'S DAY FESTIVAL 12-8pm MARCH 16<sup>th</sup> & 17<sup>th</sup>  
 Benefit for FMB CERT & Lynx Educational Foundation

For special events requesting public assistance-define Public Purpose

Date(s) and times of event MARCH 16<sup>th</sup> & 17<sup>th</sup> 12 noon - 8 pm

Name of event ANNUAL ST. PATRICK'S DAY PARTY

Address of event 1131 FIRST ST. FT MYERS BEACH, FL 33931

Expected # of participants 500 each Day

Organization CERT (16<sup>th</sup>) Lynx Foundation (17<sup>th</sup>)

Organization address \_\_\_\_\_

Contact Person STEVE DeAngelis

Contact Phone # 239-822-1369

Fax # 239-463-7125

E-mail stevied3701@yahoo.com

Request for Public Assistance Yes \_\_\_\_\_ No X

Amount of Request (If applicable) \_\_\_\_\_

This permit is subject to the applicant meeting all requirements contained in Fort Myers Beach Ordinances #12-04 and compliance with all items in the special event application

**FOR GROUPS REQUESTING FINANCIAL ASSISTANCE:**  
 Four (4) copies of the application and all supporting documents must be submitted to the Finance Department no later than April 30<sup>th</sup>. The request will be considered for inclusion in the next FY budget (October-September).

Office Use Only:  
 Date Received: \_\_\_\_\_  
 By: \_\_\_\_\_

Amount Paid: \_\_\_\_\_  
 Cash/Check #: \_\_\_\_\_

2523 Estero Boulevard, Fort Myers Beach, Florida 33931  
 Tel: (239) 765-0202 \* Fax: (239) 765-0909  
 www.FortMyersBeachFL.gov

TOWN OF  
 FORT MYERS BEACH  
 JAN 28 2014

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Nervous Nellie's

presents

The 4<sup>th</sup> Annual St. Patricks Day Festival

Once again Nervous Nellie's will be hosting our annual fundraiser at 1131 First st. Ft. Myers Beach, FL. 33931 on March 16<sup>th</sup> and 17<sup>th</sup> 2014 from 12 noon until 8pm.

The first day's events will include family friendly entertainment in the fountain area, food, raffles, adult beverages for those of age, and is a benefit for the Fort Myers Beach Community Emergency Response Team. The two day event will be limited to the fountain area and the property owned by Nervous Nellies Inc.. The site plan will indicate location of the stage, portable restrooms, food and beverage locations, trash receptacles, and perimeter fencing and signage. Expected participants each day are 500 people.

Day two of the event will include family friendly entertainment, the other mentioned activities, and will benefit the LYNX Educational Foundation. Trash management and removal will be conducted by Nervous Nellie's and Electric service from the town at the fountain will be required for both days. A professional sound and stage management company will be used to insure the compliance with fire codes and town ordinances. For any questions or concerns please call Steve DeAngelis at 239-822-1369 or by e-mail at [stevied3701@yahoo.com](mailto:stevied3701@yahoo.com)

Sincere Thanks,

Steve DeAngelis, Event promoter

TOWN OF  
FORT MYERS BEACH

JAN 28 2014

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DBPR ABT-6029 – Division of Alcoholic Beverages and Tobacco  
 Application for Extension or Amended Sketch of Licensed Premises

STATE OF FLORIDA  
 DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DBPR Form  
 ABT-6029  
 Revised 02/2013

If you have any questions or need assistance in completing this application, please contact the Division of Alcoholic Beverages & Tobacco's (AB&T) local district office. Please submit your completed application and required fee(s) to your local district office. This application may be submitted by mail, through appointment, or it can be dropped off. A District Office Address and Contact Information Sheet can be found on AB&T's web site at the link provided below:

[http://www.myflorida.com/dbpr/abt/district\\_offices/licensing.html](http://www.myflorida.com/dbpr/abt/district_offices/licensing.html)

SECTION 1 - CHECK TRANSACTION REQUESTED	
Transaction Type:	
<input checked="" type="checkbox"/> Temporary Extension	<input type="checkbox"/> Amended Sketch
<input type="checkbox"/> Permanent Extension	

SECTION 2 - LICENSE INFORMATION			
Licensee (as listed on alcoholic beverage license) <i>Nervas Nellies INC</i>			
Business Name (D/B/A) <i>Nervas Nellies COAST WATER FRONT EATERY</i>			
Location Address (Street) <i>1131 FIRST ST.</i>			
City <i>FL MYERS BEACH</i>	County <i>LEE</i>	State <i>FL</i>	Zip Code <i>33931</i>
Alcoholic Beverage License Number <i>BEV 4605377</i>	Series	Type/Class <i>4COP</i>	
Business Telephone Number <i>239-463-8077</i> ext.	Email Address (Optional) <i>Stevied3701@Yahoo.com</i>		
<b>FOR TEMPORARY EXTENSIONS ONLY:</b>			
Date(s) of Extension:			
<i>3-16-14</i>	<i>3-17-14</i>		

TOWN OF  
 MYERS BEACH

JAN 27 2014

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ABT District Office Received / Date Stamp

**SECTION 3 - ZONING APPROVAL**  
**TO BE COMPLETED BY THE ZONING AUTHORITY GOVERNING YOUR BUSINESS LOCATION**  
 (This section only applies to a permanent or temporary extension of licensed premises)

Location Street Address

1131 FIRST ST.

City

MYERS BEACH

County

LEE

FL

Zip Code

33931

Are there outside areas which are contiguous to the premises which are to be part of the premises sought to be licensed?  Yes  No

The PERMANENT extension of the licensed premises as shown in the sketch complies with zoning requirements for the sale of alcoholic beverages pursuant to this application.

The TEMPORARY extension of the licensed premises as shown in the sketch complies with zoning requirements for the sale of alcoholic beverages pursuant to this application.

Signed: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

This approval is valid until \_\_\_\_\_

**SECTION 4 - HEALTH**  
**TO BE COMPLETED BY THE DIVISION OF HOTELS AND RESTAURANTS**  
**OR COUNTY HEALTH AUTHORITY**  
**OR DEPARTMENT OF HEALTH**  
**OR DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES**

The above establishment complies with the requirements of the Florida Sanitary Code.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_

Agency \_\_\_\_\_

This approval is valid until \_\_\_\_\_

SECTION 5 - AFFIDAVIT OF APPLICANT  
NOTARIZATION REQUIRED

Business Name (D/B/A)

*Nervax Kellies Crazy Waterfront Eatery*

"I, the undersigned individually, or if a registered legal entity for itself, its officers and directors, hereby swear or affirm that I am duly authorized to make the above and foregoing application and, as such, I hereby swear or affirm that the attached sketch is a true and correct representation of the extended licensed premises and agree that the place of business may be inspected and searched during business hours or at any time business is being conducted on the premises without a search warrant by officers of the Division of Alcoholic Beverages and Tobacco, the sheriff, his deputies, and police officers for the purposes of determining compliance with the beverage and cigarette laws."

I swear under oath or affirmation under penalty of perjury as provided for in Sections 559.791, 562.45 and 837.06, Florida Statutes that the foregoing information is true and correct."

If applying for a temporary extension, check the box to confirm the following statement:

"I understand that the premises must be restored to its original form at the conclusion of the authorized temporary event."

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

\_\_\_\_\_  
APPLICANT SIGNATURE

\_\_\_\_\_  
APPLICANT SIGNATURE

The foregoing was ( ) Sworn to and Subscribed OR ( ) Acknowledged Before me this \_\_\_\_\_ Day

of \_\_\_\_\_, 20\_\_\_\_, By \_\_\_\_\_ who is ( ) personally  
(print name(s) of person(s) making statement)

known to me OR ( ) who produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public Commission Expires: \_\_\_\_\_

**SECTION 6 - DESCRIPTION OF PREMISES TO BE LICENSED**

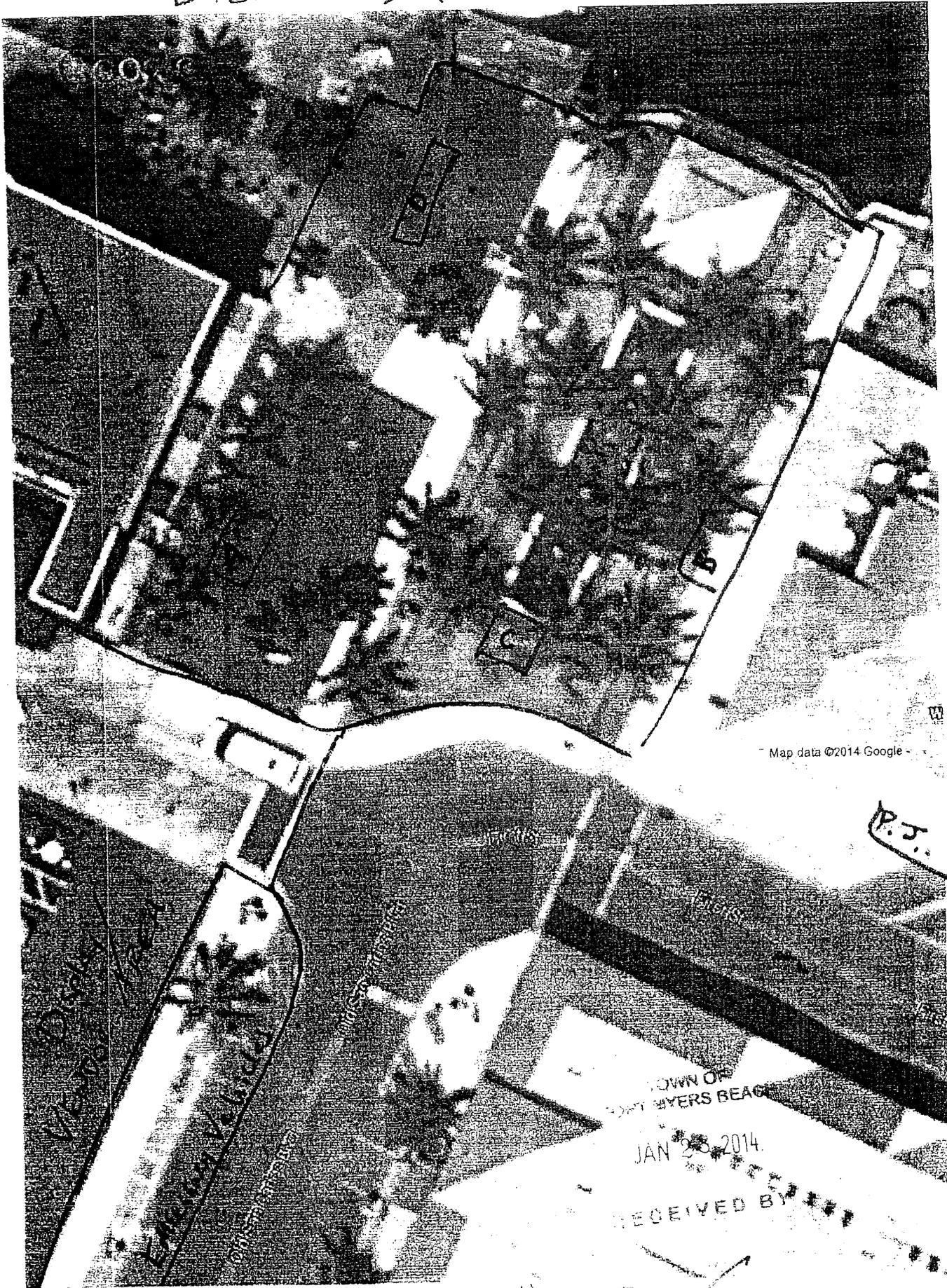
Business Name (D/B/A)

*Debra's Delfino Crazy Waterfront Eatery*

- |    |                              |  |  |
|----|------------------------------|--|--|
| 1. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is the proposed premises movable or able to be moved?  |
| 2. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is there any access through the premises to any area over which you do not have dominion and control?  |
| 3. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Are there more than 3 separate rooms or enclosures with permanent bars or counters?  |
| 4. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is the business located within a Specialty Center? If yes, check the applicable statute:<br><input type="checkbox"/> 561.20(2)(b)1, F.S. or <input type="checkbox"/> 561.20(2)(b)2, F.S. |

Neatly draw a floor plan of the premises in ink, including sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, sales areas, storage areas, restrooms, bar locations and any other specific areas which are part of the premises sought to be licensed. A multi-story building where the entire building is to be licensed must show the details of each floor.

A. STAGE C. SOUND Booth  
B. BAR D. FOOD



Portable Restrooms

MARCH 16<sup>th</sup> - 17<sup>th</sup> / APRIL 12<sup>th</sup> 2014



# Town of Fort Myers Beach

*Alan Mandel*  
Mayor

*Joe Kosinski*  
Vice Mayor

*Dan Andre*  
Council Member

*Jo List*  
Council Member

*Bob Raymond*  
Council Member

January 29, 2014

To Property Owner,

Re: Notification of Amplified Sound

This notice is to inform you of an upcoming Special Event to be held @ Town's Fountain and Nervous Nellies. The event is called, "4th Annual St. Patrock's Day Festival", located @ 1131 First Street, Fort Myers Beach, Fl. 33931. This event is scheduled to begin March 16-17, 2014 from 12 AM to 8 PM.

"Town Ordinance 12-04 Sec. 22-8(b)(5) In instances where a proposed special event will be held within 500 feet of residential property and will include any amplified sound, the applicant shall provide notice to such owners and advise them of the nature of the event and the dates and times when the event will be held. The 500 feet shall be measured from the perimeter of the site where the special event will take place and for condominium properties, a single written notification to the condominium association shall be sufficient. The notification shall advise the owner(s) of their right to submit a letter of objection to the Town Manager and shall include the date by which any such letter of objection must be submitted."

Please should you have any comments, questions or objection please submit them in writing no later than February 28, 2014, address to Town of Fort Myers Beach.

Thank You.

Tildon Copeland  
Public Services Supervisor  
Town OF Fort Myers Beach  
2523 Estero Boulevard  
Fort Myers Beach, FL 33931

414/416 Crescent Street  
Fort Myers Beach 33931

Residents  
1042/1044 Second Street  
Fort Myers Beach, FL 33931

Residents  
401 Old San Carlos Blvd  
Fort Myers Beach, FL 33931

Residents  
917 Third Street  
Fort Myers Beach, FL 33931

HARBOUR HOUSE AT THE INN  
450 Old San Carlos Blvd.  
Fort Myers Beach, FL 33931

1011 Third Street  
Fort Myers Beach, FL 33931

Residents  
939 Third Street  
Fort Myers Beach, FL 33931

Residents  
935 Third Street  
Fort Myers Beach, FL 33931

Residents  
929 Third Street  
Fort Myers Beach, FL 33931

Residents  
923 Third Street  
Fort Myers Beach, FL 33931

343 Old San Carlos Blvd.  
Fort Myers Beach, FL 33931

Residents  
430 Bonita Street  
Fort Myers Beach, FL 33931

Residents  
432 Bonita Street  
Fort Myers Beach, FL 33931

Residents  
438 Bonita Street  
Fort Myers Beach, FL 33931

Marina Village at Snug Harbor  
645 Old San Carlos Blvd  
Fort Myers Beach, FL 33931



label size 1" x 2 5/8" compatible with Avery®5160/8160  
Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160

MAILING LIST

to whom it may concern

I am expressing my strong disapproval of Wabomo "Natives" 5 Picnic Event on March 16 & 17th. How dare they! How much more disrespectful can you get what a slap in the face. They do not respect their neighbors AT ALL! Now they want us to listen to all that noise for two days and light shows each day. This is so wrong. How can this town let these businesses subject its residents to this madness! Please, this is not right! You can or not say no to these insane request. How dare

they. I am sooo angry

Respectfully

A. Marco  
3rd Street

TOWN OF  
HAPPERS BEACH

SEP 11 2014

RECEIVED BY

Bayside  
Park area  
12 = 8 day

COPIED TO:  
COUNCIL MEMBERS  
TOWN ATTORNEY  
TOWN MANAGER  
TOWN CLERK

Tildon Opeland